

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
Plaintiff, )

vs. )

TYAS JOSEPH SHORT, )  
Defendant. )

Case No. 6:21-CR-00146-CBG

**DEFENDANT’S UNOPPOSED MOTION TO MODIFY CONDITIONS OF  
PRETRIAL RELEASE**

COMES NOW Defendant Tyas Short, by and through his attorney of record, Assistant Federal Defender Jerome Price, and respectfully moves this Court to modify his conditions of pretrial release. He specifically requests that the Court modify Condition 7(p)(i) to permit the pretrial services office or his supervising officer to authorize excused absences from his residence during curfew hours. *See* ECF No. 30 at 2. This modification will vest the supervising probation officer with discretion to modify the curfew hours and respond to urgent situations confronting Mr. Short. Mr. Short’s supervising probation officer supports this request. The government does not oppose this motion. In support of this motion, Mr. Short states:

1. On April 19, 2021, Mr. Short was charged by Criminal Complaint with Murder in Indian County, in violation of 18 U.S.C. §§ 1111(a), 1151, and 1153; and Use, Carry, Brandish, and Discharge of a Firearm During and in Relation to a Crime of Violence, in violation of 18 U.S.C. § 924(c). ECF No. 1. The offense allegedly occurred on April 7, 2019. *Id.*

2. Mr. Short made his initial appearance on April 29, 2021. At that hearing the Court appointed the Office of the Federal Defender and specifically, Assistant Federal Defender Jerome Price to represent Mr. Short. ECF 10.

3. On May 12, 2021, a federal grand jury sitting in the Eastern District of Oklahoma returned a three-count Indictment charging Mr. Short with Second-Degree Murder in Indian Country (Count 1); Causing Death Of A Person in the Course of Violating 18 U.S.C. § 924(c) (Count 2); and Use, Carry, Brandish, and Discharge of a Firearm During and in Relation to a Crime of Violence (Count 3).

4. On May 18, 2021, the Court released Mr. Short on a \$25,000 unsecured bond. ECF No. 27. The Court also imposed a curfew between the hours of 6:30 p.m. and 6:30 a.m. as a condition of his release. ECF No. 30 at 2.

5. On February 10, 2022, this Court granted Mr. Short's motion to modify his curfew hours to 9:30 p.m. through 6:30 a.m. ECF No. 46.

6. On February 24, 2022, Mr. Short pleaded guilty to Count 1 of the Indictment pursuant to a written plea agreement.

7. Mr. Short respectfully requests that the Court modify his curfew to give his supervising probation officer discretion to authorize exceptions to the curfew hours on a case-by case basis. This will permit Mr. Short more flexibility to continue employment, which sometimes requires late hours or early hours based on commute to and from work sites.

8. Defense counsel has spoken with Mr. Short's assigned Probation Officer, Ryan J. McClain. Officer McClain confirmed that does not oppose Mr. Short's request to modify the condition as requested.

9. Defense counsel communicated with the assigned Department of Justice Attorney, Mr. Alexander Gottfried, on March 22, 2022. Mr. Gottfried does not oppose Mr. Short's request to modify his condition as requested.

THEREFORE, Mr. Tyas Short respectfully asks this Court to grant his motion to modify

Condition 7(p)(i) of his release conditions to read as follows: You are restricted to your residence every day from 9:00 p.m. to 6:30 a.m., *or as directed by the pretrial services office or supervising officer.*

Respectfully submitted,

OFFICE OF THE FEDERAL DEFENDER  
Heather E. Williams, Federal Defender

Date: April 21, 2022

/s/ Jerome Price  
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Attorneys for Defendant  
TYAS SHORT

**CERTIFICATE OF SERVICE**

I certify that on April 21, 2022, I electronically filed the foregoing with the Clerk of the Court by using CM/ECF system which will send a notice of electronic filing to each counsel of record.

I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants: None.

/s/ Jerome Price  
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